CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ADDENDUM NO. 1
TO
ORDER NO. R9-2003-0155
NPDES NO. CA0109347

AN ADDENDUM TO REVISE
THE MONITORING AND REPORTING PROGRAM

FOR THE

UNITED STATES MARINE CORPS BASE CAMP PENDLETON
DISCHARGE TO THE PACIFIC OCEAN
VIA THE OCEANSIDE OCEAN OUTFALL

SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. The City of Oceanside (City) is authorized to discharge up to 21 million gallons per day (MGD) of undisinfected secondary effluent, treated at the San Luis Rey and La Salina Wastewater Treatment Plants, and waste brine, from the Brackish Water Desalination Plant, to the Pacific Ocean through the Oceanside Ocean Outfall (OOO). This discharge is subject to waste discharge requirements contained in Order No. 2000-011 (NPDES Permit No. CA0107433) which was adopted by the Regional Board on February 9, 2000.

2. The Fallbrook Public Utility District (FPUD) is authorized to discharge up to 2.7 MGD of tertiary effluent, treated at the FPUD Wastewater Treatment Plant No. 1, to the Pacific Ocean through the (OOO). This discharge is subject to waste discharge requirements contained in Order No. 2000-012 (NPDES Permit No. CA0108031) which was adopted by the Regional Board on February 9, 2000.

3. The US Marine Corp Base Camp Pendleton (USMCBCP) is authorized to discharge up to 3.6 MGD of undisinfected secondary effluent, treated at USMBCP Wastewater Treatment Plant Nos. 1, 2, 3, and 13, to the Pacific Ocean through the (OOO). This discharge is subject to waste discharge requirements contained in Order No. R9-2003-0155 (NPDES Permit No. CA0109347) which was adopted by the Regional Board on August 13, 2003.

4. IDEC Pharmaceuticals Corporation (IDEC) is authorized to discharge up to 0.155 MGD of brine and other wastes associated with water softening and purification processes and other non-industrial maintenance-type activities, generated from the New IDEC Manufacturing Operations (NIMO) facility in Oceanside, to the Pacific Ocean through the OOO. This discharge is subject to waste discharge requirements contained in Order No. R9-2003-0140

(NPDES Permit No. CA0109193) which was adopted by the Regional Board on August 13, 2003. The discharge from NIMO is not expected to contain pathogens, and Order No. R9-2003-0140 does not include receiving water monitoring requirements for bacterial indicators.

5. Significant water-contact recreation, such as surfing and scuba diving, occurs year-round in ocean waters that may be impacted by the discharge from the OOO. A report dated May 8, 2000 from the County of San Diego Department of Environmental Health (DEH) entitled "Ocean Illness Survey Results, August 1997-December 1999" reported an estimated daily winter attendance of 3,500 at Oceanside City Beach in 1989-1990. Furthermore, shellfish harvesting at Agua Hedionda Lagoon, which may also be impacted by the discharge from the OOO, occurs year-round.

6. Order Nos. 2000-011, 2000-012, and R9-2003-0155 contain receiving water limitations and monitoring requirements for total and fecal coliform and enterococcus. Weekly monitoring for these bacterial indicators at surf zone monitoring stations within waters of the State that may be impacted by the discharge from the OOO is reasonable in order to protect water quality and the beneficial uses of these waters year-round.

7. Order Nos. 2000-011, 2000-012, and R9-2003-0155 contain fecal coliform and enterococcus receiving water limitations based on the geometric mean of at least five samples during any 30-day period. Weekly or more frequent monitoring results are necessary in order to determine compliance with these limitations.

8. In correspondence dated October 6, 2003, DEH recommends using its "Standard Operating Procedures (SOP) for the Collection of Water Samples for Bacterial Analysis from Ocean and Bay Receiving Waters" as the sampling protocol at surf zone monitoring stations to reflect conditions during all critical environmental periods and be most protective of public health. The SOP specifies the time of day and depth for water sampling to reduce the effects of bacterial die-off in determining the actual bacterial densities that may be encountered by beach users. The SOP would also make sampling procedures consistent at sampling stations along the San Diego County coastline to facilitate data comparison.

9. According to Section 13263(e) of the California Water Code, the Regional Board may, upon application by any affected person, or on its own motion, review and revise waste discharge requirements.

10. The issuance of this Addendum is exempt from the requirements for preparation of environmental documents under the California Environmental Quality Act in accordance with Section 13389 of the Porter Cologne Water Quality Control Act.

11. This Regional Board has considered all environmental factors associated with the proposed and existing discharges.

12. This Regional Board has notified the City of Oceanside and all known interested parties of its intent to modify Order No. R9-2003-0155 by revising the Receiving Water Monitoring Program of Order No. 2000-012.

13. This Regional Board, in a public hearing, heard and considered all comments pertaining to the modification of Order No. R9-2003-0155.

IT IS HEREBY ORDERED THAT, Order No. R9-2003-0155, NPDES Permit No. CA0109347, is modified as follows:

1. Receiving Water Monitoring Provision VI.A of the Monitoring and Reporting Program is superceded by the following:

   Surf zone monitoring is intended to assess bacteriological conditions in areas used for body-contact activities (e.g., swimming); and to assess aesthetic conditions for general recreational uses (e.g., picnicking).

   All "surf zone stations" shall be monitored as follows:

   1. *Grab samples shall be collected and analyzed for total and fecal coliforms, and enterococcus at a minimum frequency of once per week throughout the year with at least five samples collected within any 30-day period.*

   2. *Samples shall be collected in accordance with "Standard Operating Procedures for the Collection of Water Samples for Bacterial Analysis from Ocean and Bay Receiving Waters" developed by the County of San Diego Department of Environmental Health and incorporated herein by reference.*

   3. *At the same time samples are collected from "surf zone stations," the following information shall be recorded: observation of wind (direction and speed), weather (e.g., cloudy, sunny, or rainy), current (e.g., direction), and tidal conditions; observations of water color, discoloration, oil and grease, turbidity, odor, and materials of sewage origin in the water or on the beach; and water temperature (°C).*

I, John H. Robertus, Executive Officer, do certify that the foregoing is a full, true, and correct copy of Addendum No. 1 to Order No. R9-2003-0155, adopted by the California Regional Water Quality Control Board, San Diego Region, on November 12, 2003.

JOHN H. ROBERTUS
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER NO. R9-2003-0155
NPDES PERMIT NO. CA0109347

WASTE DISCHARGE REQUIREMENTS
FOR THE
UNITED STATES MARINE CORPS BASE
CAMP PENDLETON
WASTEWATER TREATMENT PLANT NOS. 1, 2, 3, & 13
DISCHARGE TO THE PACIFIC OCEAN
VIA THE OCEANSIDE OCEAN OUTFALL
SAN DIEGO COUNTY

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SAN DIEGO REGION

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WASTE DISCHARGE REQUIREMENTS
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The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. On March 14, 2003 the United States Marine Corps Base Camp Pendleton (hereinafter USMCB CP, Base, or discharger) submitted an application for NPDES Waste Discharge Requirements to discharge a maximum of 3.6 Million Gallons per Day (MGD) of secondary treated effluent from Sewage Treatment Plant (STP) Nos. 1, 2, 3, & 13, to the Pacific Ocean, via the City of Oceanside's Oceanside Ocean Outfall (OOO). After additional information was submitted on April 30, the application was considered to be complete.

2. USMCB CP, located adjacent to the City of Oceanside's northern boundary, maintains four STPs that currently discharge to the Santa Margarita River. The plant location coordinates are listed in Table 1 below.

TABLE NO. 1 COORDINATES OF FACILITIES

DISCHARGE	LATITUDE	LONGITUDE
Plant No. 1	33 18' 47" N	117 17' 49" W
Plant No. 2	33 16' 57" N	117 18' 15" W
Plant No. 3	33 17' 16" N	117 22' 14" W
Plant No. 13	33 13' 57" N	117 23' 33" W

3. Based on information submitted by the discharger, the average flows and certified treatment capacities (i.e. maximum permitted flows) at these STPs are listed in Table No. 2 below.

TABLE NO. 2 Current Flows and Certified Capacities

FACILITY (PLANT NUMBER)	AVERAGE FLOW (MGD)	CERTIFIED CAPACITY (MGD)
Headquarters Plant (1)	0.346	1.11
San Luis Rey Plant (2)	0.279	0.92
Chappo Plant (3)	0.582	0.9
Twin Lakes Plant (13)	1.501	2.0
Total	**= 2.708 MGD**	**= 4.93 MGD**

4. Currently, any treated effluent from Plant Nos. 1 & 2 that is not used to irrigate the Marine Memorial Golf Course, is collected in the "Horse Lake" storage pond, and subsequently transferred to the "Twin Lakes" storage pond, where it commingles with treated effluent from Plant No. 13, and is then discharged to the Santa Margarita River. Plant No. 3 also discharges treated effluent to the Santa Margarita River, further upstream from the Twin Lakes discharge point.

5. To date, the Base has been in chronic, and significant non-compliance with their existing waste discharge limitations for the following constituents: total nitrogen, total phosphorous, total dissolved solids (TDS), total chlorine residual, manganese, MBAS, iron, color, dissolved oxygen, fecal coliform, and whole effluent toxicity. Based on the information provided in the discharger's Report of Waste Discharge application, the Base has demonstrated that they would be able to comply with all requirements applicable to their discharge to the Pacific Ocean. Sewage treatment plant Nos. 1, 2, 3 & 13 have been in complete compliance with all Ocean and Basin Plan standards (for Ocean disposal) since April 1, 2003.

6. USMCB CP has installed a new piping and conveyance system that would combine the treated effluent from the four STPs and convey the effluent to the Lemon Grove Pump Station. The effluent is then pumped approximately 4 miles along a land outfall pipe where it connects to the OOO, for discharge to the Pacific Ocean. Alternatively, treated effluent from the four STPs can be collected and stored in the Lemon Grove Equalization Basin, a lined storage pond that can be used to offset peak flows to the OOO, or to temporarily cease discharging altogether in emergency situations.

7. The OOO extends southwesterly from the mouth of Loma Alta Creek in the City of Oceanside. The inshore end of the diffuser is located approximately 8,050 feet offshore at a depth of approximately 102 feet. The diffuser, which is collinear with the rest of the outfall, is approximately 230 feet long and extends to a depth of approximately 108 feet. The terminus is located at Latitude 33° 09' 46" North, Longitude 117° 23' 28" West. The design capacity of the OOO is 30 MGD (average daily flow), with a maximum rated peak-day capacity of 45 MGD.

8. The City of Oceanside is permitted to discharge a total of 21 MGD of annual average flows from two wastewater treatment facilities and one desalination facility (Order No. 2000-11, NPDES No. CA 0107433) through the OOO. The Fallbrook Public Utility District (FUPD) has a contract with the City of Oceanside to discharge an average annual flowrate of 2.4 MGD of treated wastewater from its Treatment Plant No. 1 (Order No. 2000-12, NPDES No. CA0108031) through the OOO.

IDEC Pharmaceuticals Corporation is proposing to discharge up to 155,000 gpd (maximum daily flow rate) of brine and other wastes associated with water purification and softening process through the OOO, starting August 2003. Current and proposed discharges through the OOO, including USMCB CP, are as follows:

TABLE NO. 3 CONSOLIDATED DISCHARGES TO THE OOO

Discharger and Permit	Discharging Facility	Nature of Discharge	Permitted Flow (MGD)
City of Oceanside (Order No. 2000-11)	La Salina WWTP	Secondary treated effluent	5.5
	San Luis Rey WWTP	Secondary treated effluent	13.5
	Mission Basin groundwater desalting facility	Reverse Osmosis Brine	2.0
FPUD (Order No. 2000-12)	FPUD Plant No. 1	Tertiary treated effluent	2.4
USMC CP (Order No. R9-2003-0155)	*USMCB CP Plant Nos. 1, 2, 3, and 13*	*Secondary treated effluent*	*3.6*
IDEC Pharmaceuticals Corp. (tentative Order No. R9-2003-0140)	*New IDEC Manufacturing Operations (NIMO)*	*Brine waste discharge from water purification and softening processes*	*0.155*
TOTAL			**27.16**

9. The Ocean Plan allows the use of a minimum probable initial dilution factor, Dm (expressed as parts seawater per part wastewater), for calculation of effluent limitations for the priority pollutant water quality objectives listed in Table B of the Ocean Plan. Order No. 2000-11 (City of Oceanside) and Order No. 2000-12 (FPUD), for the discharge through the OOO, include a Dm of 82. The Dm for the OOO was calculated using the Plumes model. Effluent limitations for those Orders were calculated using the Dm of 82.

10. In March 2001 the State Water Resources Control Board (SWRCB) staff completed a revised modeling assessment of the Dm for the OOO, using the UM3 model. SWRCB staff calculated a Dm of 76 for the combined flow from FPUD and Oceanside and noted that the Zone of Initial Dilution (ZID) extends approximately 78 feet from each diffuser port. SWRCB staff calculated a Dm of 77 for current and proposed combined flows, which included the USMCB CP's proposed 3.6 MGD discharge. SWRCB staff commented that the difference in dilution was less that the resolution of the model, and therefore considered the increase in flow to be "incidental and not of consequence." Considering the variability in the entry parameters and the resolution of the model, effluent limitations for this Order were calculated using a Dm of 80.

11. Wastewater treatment unit operations and processes at Treatment Plant No. 1 consist of bar screens, comminutors, grit chambers, primary clarifiers, trickling filters, solids contact, secondary clarifiers, and chlorine contact tanks. Facilities for sewage sludge include anaerobic digesters, waste gas burners, and sludge drying beds. Grit and dewatered sludge are hauled to Camp Pendleton Area 43 where they are disposed of in a Class III landfill.

12. Wastewater treatment unit operations and processes at Treatment Plant No. 2 consist of bar screens, comminutors, grit chambers, primary clarifiers, trickling filters, solids contact, secondary clarifiers, and chlorine contact tanks. Facilities for sewage sludge include anaerobic digesters, gas burners, and sludge drying beds. Grit and dewatered sludge are hauled to Camp Pendleton Area 43 where they are disposed of in a Class III landfill.

13. In addition to this Order, the combined effluent from sewage Treatment Plant Nos. 1 and 2 is also regulated under non-NPDES waste discharge requirements to allow for the discharge, storage, and use of reclaimed effluent for spray irrigation of the Camp Pendleton Marine Memorial Golf Course.

14. Wastewater treatment unit operations and processes at Treatment Plant No. 3 consist of bar screens, comminutors, primary clarifiers, flow equalization, chemical addition, trickling filters, and secondary clarifiers. Facilities for sewage sludge include primary and secondary digesters, gas burners, and sludge drying beds. Grit and dewatered sludge are hauled to Camp Pendleton Area 43 where they are disposed of in a Class III landfill.

15. Wastewater treatment unit operations and processes at Treatment Plant No. 13 consist of oil/water separators, bar screens, comminutors, grit chambers, chemical addition, primary clarifiers, flow equalization, trickling filters, secondary clarifiers, and chlorine contact tanks. Facilities for sewage sludge include anaerobic digesters, gas burners, and sludge drying beds. Grit and dewatered sludge are hauled to Camp Pendleton Area 43 where they are disposed of in a Class III landfill.

16. Section 402 (p) of the Clean Water Act, as amended, and the implementing regulations (40 CFR Parts 122, 123 and 124) of the U.S. Environmental Protection Agency (USEPA), require that facilities that treat, store, recycle, or reclaim municipal wastewater with design flows greater than 1 MGD must be covered under the statewide General NPDES storm water permit. Treatment Plant Nos. 1 and 13 are required to meet statewide general storm water permit provisions.

17. This Order establishes Source Control Program Requirements to regulate the discharge of non-domestic wastewater into the four wastewater treatment facilities. Influent monitoring requirements have been established for all four wastewater treatment facilities to monitor for the potential or actual contribution of conventional and toxic pollutants from non-domestic sources at Camp Pendleton. If the influent monitoring data shows a need for effluent limits in accordance with Federal Regulations, this Order will be amended to require the discharger to development and implement a Source Control Program with effluent limits to comply with Best Available Technology Economically Achievable (BAT) and with Best Conventional Pollutant Control Technology (BCT).

18. The SWRCB adopted a revised *Water Quality Control Plan for Ocean Waters of California* (Ocean Plan) on November 16, 2000 that became effective December 3, 2001. The 2001 Ocean

Plan identifies the following beneficial uses of state ocean waters to be protected:

a. Industrial water supply
b. Water contact and non-contact recreation, including aesthetic enjoyment
c. Navigation
d. Commercial and sport fishing
e. Mariculture
f. Preservation and enhancement of designated Areas of Special Biological Significance
g. Rare and endangered species
h. Marine habitat
i. Fish migration
j. Fish spawning
k. Shellfish harvesting

19. These beneficial uses are applicable to the subject discharge. In order to protect these beneficial uses, the Ocean Plan establishes water quality objectives (for bacterial, physical, chemical, and biological characteristics, and for radioactivity), general requirements for management of waste discharge to the ocean, quality requirements for waste discharges (effluent water quality requirements), discharge prohibitions, and general provisions. These conditions have been incorporated into the requirements of this Order.

20. The *Comprehensive Water Quality Control Plan Report for the San Diego Basin (9)* (Basin Plan) was adopted by this Regional Board on March 17, 1975 and approved by the SWRCB. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the SWRCB. At the time of preparation of this Order, the most recent revisions to the Basin Plan were dated September 8, 1994. The Basin Plan identifies the following beneficial uses of the coastal waters of the Pacific Ocean to be protected:

a. Industrial service supply
b. Navigation
c. Contact water recreation
d. Non-contact water recreation
f. Commercial and sport fishing
g. Preservation of biological habitats of special significance
h. Wildlife habitat
i. Rare, threatened, or endangered species
j. Marine habitat
k. Aquaculture

l. Migration of aquatic organisms

m. Spawning, reproduction and/or early development

n. Shellfish harvesting

21. These beneficial uses are applicable to the subject discharge. The Basin Plan relies primarily on the requirements of the Ocean Plan for protection of these beneficial uses. The Basin Plan, however, does establish additional water quality objectives for dissolved oxygen and pH. These objectives have been incorporated into the requirements of this Order.

22. The 2001 Ocean Plan states that, "Water shall not be discharged to areas designated as being of special biological significance (ASBS). Discharges shall be located a sufficient distance from such designated areas to assure maintenance of natural water quality conditions in that area." Although not a designated ASBS, Oceanside Artificial Fishing Reef No. 1, described in the California Department of Fish and Game *Guide to Artificial Reefs of Southern California*, is located approximately 6,000 feet north of the inshore end of the OOO diffuser at Latitude 33° 10' 57" North, Longitude 117° 25' 00" West. According to the 2001 Ocean Plan, the nearest ASBS is Heisler Park Ecological Reserve, located approximately 38 miles north of the discharge location, near Laguna Beach. The subject discharge is not expected to have any impacts on this area.

23. The 2001 Ocean Plan states that, "Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shellfishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided." A commercial shellfish harvesting operation (Carlsbad Aquafarms Inc.) is located in Agua Hedionda Lagoon, approximately three miles southeast of the OOO. The subject discharge is not expected to have any impacts on this area.

24. Effluent limitations in this Order are based on the secondary treatment requirements of 40 CFR 133, and the limitations established in the Basin Plan and the Ocean Plan. This discharge is not considered to be from a "Publicly Owned Treatment Works" (POTW) because the facilities are federally owned. Because the facilities are operated like a POTW and with the same purpose as a POTW, however, the 2001 Ocean Plan Table A effluent limitations have been applied to this discharge based on best professional judgment.

25. Waste discharge requirements for this discharge must be in conformance with 40 CFR 131.12 and State Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (known collectively as "antidegradation" policies). It is concluded that the proposed relocation of USMCB CP effluent discharges from the Santa Margarita River (a tributary to the Pacific Ocean) to the OOO is in compliance with the antidegradation regulations. Reasons for this conclusion include:

a. No net degradation of water quality occurs, due to the change in location of the discharge points.

b. No significant changes in net mass emissions to the region occur as a result of the project, and

c. The project results in net benefits to inland and surf zone beneficial uses without impacting beneficial uses in deeper ocean waters.

26. Effluent limitations, toxic effluent standards, sludge use and disposal regulations, and criteria established under Sections 208(b), 301, 302, 303(d), 304, 307, and 405 of the Clean Water Act, as amended, are applicable to this discharge.

27. This Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:

a. Past, present, and probable future beneficial uses of water;

b. Environmental characteristics of the receiving waters under consideration, including the quality of water available thereto;

c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;

d. Economic considerations;

e. The need for developing housing within the region;

f. The need to develop and use recycled water.

28. This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act or amendments thereto.

29. The issuance of waste discharge requirements for this discharge is exempt from the requirement for preparation of environmental documents under the CEQA (Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.) in accordance with the California Water Code, Section 13389.

30. This Regional Board has considered all water resource related environmental factors associated with the proposed discharge.

31. This Regional Board has notified the discharger and all known interested parties of its intent to prescribe waste discharge requirements for this discharge to the Pacific Ocean via the OOO.

32. This Regional Board in a public meeting on August 13, 2003 heard and considered all comments pertaining to the proposed discharge.

IT IS HEREBY ORDERED, that the USMCB CP (hereinafter discharger), in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water act, and the regulations adopted thereunder, shall comply with the following for the discharge of wastewater from the USMCB CP to the Pacific Ocean through the OOO:

A. PROHIBITIONS

1. Discharges of wastes in a manner or to a location which have not been specifically authorized by this Order and for which valid waste discharge requirements are not in force are prohibited.

2. The dumping or deposition, from shore or from vessels, of oil, garbage, trash or other solid municipal, industrial, or agricultural waste directly into waters subject to tidal action or adjacent to waters subject to tidal action in any manner which may permit it to be washed into waters subject to tidal action is prohibited.

3. Discharge through the OOO from any treatment facility with a monthly average flowrate in excess of the certified secondary treatment design capacity of that treatment facility is prohibited. For the purposes of this Order, the certified secondary treatment design capacity of a treatment facility is identified in Finding No. 3 of this Order unless the discharger obtains the Executive Officer's approval of a revised design capacity in accordance with the provisions of this order.

4. Discharge to the Pacific Ocean from the treatment facilities in the USMCB CP system via the OOO of a daily average flowrate (from midnight to midnight) in excess of 3.6 MGD is prohibited unless the discharger obtains revised waste discharge requirements authorizing an increased flowrate.

5. Compliance with Discharge Prohibitions as stated in Chapter III, Section H of the 2001 Ocean Plan (Attachment No. 1) is required as a condition of this Order.

6. Compliance with the Waste Discharge Prohibitions contained in the 1994 Basin Plan (Attachment No. 2) is also required as a condition of this Order.

B. DISCHARGE SPECIFICATIONS

1. Effluent limitations

   a. The following effluent limitations shall apply to the total effluent from all of the individual USMCB CP treatment plants (i.e. Plant Nos. 1, 2, 3, and 13).

Effluent Limitations for Major Constituents and Properties of Wastewater

Constituent	Units	Monthly Average**	Weekly Average**	Maximum at any time**
BOD_5[1*]	mg/L	30	45	--
Total Suspended Solids[1]	mg/L	30	45	--
Oil & Grease[2]	mg/L	25	40	75
Settleable Solids[2]	mL/L	1.0	1.5	3.0
Turbidity[2]	NTU	75	100	225
pH[1,2]	pH units	Within limits of 6.0 - 9.0 at all times.		

* endnotes are located on page 36 of this Order.
** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.
***Units:

mg/L = milligrams per liter
mL/L = milliliters per liter
NTU = Nephelometric Turbidity Units

b. The following effluent limitations shall apply to the total effluent from all of the individual USMCB CP treatment plants to the OOO.

Effluent Limitations for Protection of Marine Aquatic Life[3]

Constituent	Units	6-Month Median**	Daily Maximum**	Instantaneous Maximum**
Arsenic	µg/L lb/day	410 12	2,400 71	6,200 190
Cadmium	µg/L lb/day	81 2.4	320 9.7	810 24
Chromium (hexavalent)[4]	µg/L lb/day	160 4.9	650 19	1,600 49
Copper	µg/L lb/day	83 2.5	810 24	2,300 68
Lead	µg/L lb/day	160 4.9	650 19	1,600 49
Mercury	µg/L lb/day	3.2 0.096	13 0.39	32 0.97
Nickel	µg/L lb/day	410 12	1,600 49	4,100 120
Selenium	µg/L lb/day	1,200 36	4,900 150	12,000 360
Silver	µg/L lb/day	44 1.3	210 6.4	550 17
Zinc	µg/L lb/day	980 29	5,800 180	16,000 480
Cyanide[5]	µg/L lb/day	81 2.4	320 9.7	810 24
Total chlorine residual[6]	µg/L lb/day	162 4.9	650 19	4,900 150
Ammonia (as N)	µg/L lb/day	49,000 1,500	190,000 5,800	490,000 15,000

Constituent	Units	6-Month Median**	Daily Maximum**	Instantaneous Maximum**
Chronic toxicity	TUc	---	81	---
Phenolic compounds (non-chlorinated)	µg/L lb/day	2,400 73	9,700 290	24,000 730
Chlorinated phenolics	µg/L lb/day	81 2.4	320 9.7	810 24
Endosulfan	µg/L lb/day	0.73 0.022	1.5 0.044	2.2 0.066
Endrin	µg/L lb/day	0.16 0.0049	0.32 0.0097	0.49 0.015
HCH[7]	µg/L lb/day	0.32 0.0097	0.65 0.020	0.97 0.029
Radioactivity[8]	Not to exceed limits specified in Title 17, Division 1, Chapter 5, Subchapter 4, Group 3, Article 3, Section 30253 of the California Code of Regulations.			

* endnotes are located on page 36 of this Order.

** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.

***Units:

µg/L = micrograms per liter
TUa = toxic units acute
TUc = toxic units chronic
lb/day = pounds per day

c. The following effluent limitations shall apply to the total effluent from all of the individual USMCB CP treatment plants to the OOO.

Effluent Limitations for Protection of Human Health- Noncarcinogens[3]

Constituent	Units	Monthly Average**
Acrolein	µg/L lb/day	18,000 540
Antimony	µg/L lb/day	97,000 2,900
Bis(2-chloroethoxy) methane	µg/L lb/day	360 11
Bis(2-chloroisopropyl) ether	µg/L lb/day	97,000 2,900
Chlorobenzene	µg/L lb/day	46,000 1,400
Chromium (III)	µg/L lb/day	15,000,000 460,000
Di-n-butyl phthalate	µg/L lb/day	280,000 8,500
Dichlorobenzenes[9]	µg/L lb/day	410,000 12,000
Diethyl phthalate	µg/L lb/day	2,700,000 80,000
Dimethyl phthalate	µg/L lb/day	66,000,000 2,000,000
4,6-dinitro-2-methylphenol	µg/L lb/day	18,000 540
2,4-dinitrophenol	µg/L lb/day	320 9.7
Ethylbenzene	µg/L lb/day	330,000 10,000
Fluoranthene	µg/L lb/day	1,200 36
Hexachlorocyclopentadiene	µg/L lb/day	4,700 140
Nitrobenzene	µg/L lb/day	400 12

Constituent	Units	Monthly Average**
Thallium	µg/L lb/day	160 4.9
Toluene	µg/L lb/day	6,900,000 210,000
Tributyltin	µg/L lb/day	0.11 0.0034
1,1,1-trichloroethane	µg/L lb/day	44,000,000 1,300,000

* endnotes are located on page 36 of this Order.

** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.

***Units:

µg/L = micrograms per liter

lb/day = pounds per day

d. The following effluent limitations shall apply to the total effluent from all of the individual USMCB CP treatment plants to the OOO.

Effluent Limitations for Protection of Human Health- Carcinogens[3]

Constituent	Units	Monthly Average**
Acrylonitrile	µg/L lb/day	8.1 0.24
Aldrin	µg/L lb/day	0.0018 0.000054
Benzene	µg/L lb/day	480 14
Benzidine	µg/L lb/day	0.0056 0.00017
Beryllium	µg/L lb/day	2.7 0.080
Bis(2-chloroethyl)ether	µg/L lb/day	3.7 0.11
Bis(2-ethylhexyl)phthalate	µg/L lb/day	280 8.5
Carbon tetrachloride	µg/L lb/day	73 2.2
Chlordane[10]	µg/L lb/day	0.0019 0.000056
Chlorodibromomethane	µg/L lb/day	700 21
Chloroform	µg/L lb/day	11,000 320
DDT[11]	µg/L lb/day	0.014 0.00041
1,4-dichlorobenzene	µg/L lb/day	1,500 44
3,3'-dichlorobenzidine	µg/L lb/day	0.66 0.020
1,2-dichloroethane	µg/L lb/day	2,300 68

Constituent	Units	Monthly Average**
1,1-dichloroethylene	µg/L lb/day	73 2.2
Dichlorobromomethane	µg/L lb/day	500 15
Dichloromethane	µg/L lb/day	36,000 1,100
1,3-dichloropropene	µg/L lb/day	720 22
Dieldrin	µg/L lb/day	0.0032 0.000097
2,4-dinitrotoluene	µg/L lb/day	210 6.3
1,2-diphenylhydrazine	µg/L lb/day	13 0.39
Halomethanes[12]	µg/L lb/day	11,000 320
Heptachlor	µg/L lb/day	0.041 0.00012
Heptachlor epoxide	µg/L lb/day	0.0016 0.000049
Hexachlorobenzene	µg/L lb/day	0.017 0.00051
Hexachlorobutadiene	µg/L lb/day	1,100 34
Hexachloroethane	µg/L lb/day	200 6.1
Isophorone	µg/L lb/day	59,000 1,800
N-nitrosodimethylamine	µg/L lb/day	590 18
N-nitrosodi-N-propylamine	µg/L lb/day	31 0.92
N-nitrosodiphenylamine	µg/L lb/day	200 6.1

Constituent	Units	Monthly Average**
PAHs[13]	µg/L lb/day	0.71 0.021
PCBs[14]	µg/L lb/day	0.0015 0.000046
TCDD equivalents[15]	pg/L lb/day	0.00000032 0.0000000095
1,1,2,2-tetrachloroethane	µg/L lb/day	190 5.6
Tetrachloroethylene	µg/L lb/day	160 4.9
Toxaphene	µg/L lb/day	0.017 0.00051
Trichloroethylene	µg/L lb/day	2,200 66
1,1,2-trichloroethane	µg/L lb/day	760 23
2,4,6-trichlorophenol	µg/L lb/day	23 0.71
Vinyl Chloride	µg/L lb/day	2,900 88

* endnotes are located on page 36 of this Order.
** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.
***Units:

µg/L = micrograms per liter
pg/L = picograms per liter
lb/day = pounds per day

2. Any significant change in waste flow shall be cause for reevaluating effluent quality requirements.

3. The 30-day average percent removal of BOD_5 and the 30-day average percent removal of TSS, as calculated during any calendar month, shall each not be less than 85 percent for any 30-day period, for the combined effluent to the OOO.

4. Waste management systems that discharge to the ocean must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community.

5. Waste discharged through the OOO must be essentially free of:

a. Material that is floatable or will become floatable upon discharge.

b. Settleable material or substances that form sediments which degrade benthic communities or other aquatic life.

c. Substances which will accumulate to toxic levels in marine waters, sediments or biota.

d. Substances that significantly decrease the natural light to benthic communities and other marine life.

e. Materials that result in aesthetically undesirable discoloration of the ocean surface.

6. Waste discharged through the OOO shall be discharged in a manner that provides sufficient initial dilution to minimize the concentrations of substances not removed in treatment.

7. Location of waste discharges must be determined after a detailed assessment of the oceanographic characteristics and current patterns to assure that:

   a. Pathogenic organisms and viruses are not present in areas where shellfish are harvested for human consumption or in areas used for swimming or other body-contact sports.

   b. Natural water quality conditions are not altered in areas designated as being of special biological significance or areas that existing marine laboratories use as a source of seawater.

   c. Maximum protection is provided to the marine environment.

   Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shellfishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided. Disinfection procedures that do not increase effluent toxicity and that constitute the least environmental and human hazard shall be used. Any disinfection method may be used, provided that the Base can demonstrate that the method may be implemented without resulting in effluent violations or Whole Effluent Toxicity (WET) exceedances.

8. All waste treatment, containment and disposal facilities shall be protected against 100-year peak stream flows as defined by the San Diego County flood control agency.

9. All waste treatment, containment and disposal facilities shall be protected against erosion, overland runoff and other impacts resulting from a 100-year frequency 24-hour storm.

10. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Regional Board Executive Officer (hereinafter Executive Officer).

11. The discharge of substances for which effluent limitations are not established by this Order shall be prevented or, if the discharge cannot be prevented, minimized.

C. RECEIVING WATER LIMITATIONS

The discharge of waste through the OOO shall not, by itself or jointly with any other discharge, cause violation of the following Ocean Plan ocean water quality objectives. Compliance with the water quality objectives shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed.

1. Bacterial Characteristics

   a. Water-Contact Standards
   Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone used for water-contact sports, as determined by the Regional Board, but including all kelp beds, the following bacterial objectives shall be maintained throughout the water column:

      1) Samples of water from each sampling station shall have a density of total coliform organisms less than 1,000 per 100 ml (10 per ml); provided that not more than 20 percent of the samples at any sampling station, in any 30-day period, may exceed 1,000 per 100 ml (10 per ml), and provided further that no single sample when verified by a repeat sample taken within 48 hours shall exceed 10,000 per 100 ml (100 per ml).

      2) The fecal coliform density based on a minimum of not less than five samples for any 30-day period, shall not exceed a geometric mean of 200 per 100 ml nor shall more than 10 percent of the total samples during any 60-day period exceed 400 per 100 ml.

   The "Initial Dilution Zone" of wastewater outfalls shall be excluded from designation as kelp beds for purposes of bacterial standards. Adventitious assemblages of kelp plants on waste discharge structures (e.g., outfall pipes and diffusers) do not constitute kelp beds for purposes of bacterial standards. Kelp beds, for the purpose of the bacterial standards of this Order, are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

   b. Shellfish Harvesting Standards
      1) At all areas where shellfish may be harvested for human consumption, as determined by the Regional Board, the following bacterial objectives shall be maintained throughout the water column:

         (a) The median total coliform density shall not exceed 70 per 100 ml, and not more than 10 percent of the samples shall exceed 230 per 100 ml.

   c. Bacterial Assessment and Remedial Action Requirements
   The requirements listed below shall be used to 1) determine the occurrence and extent of any impairment of a beneficial use due to bacterial contamination; 2) generate information which can be used in the development of an enterococcus standard; and 3) provide the basis for remedial actions necessary to minimize or eliminate any impairment of a beneficial use.

1) Measurement of enterococcus density shall be conducted at all stations where measurement of total and fecal coliforms is required. In addition to the requirements of Receiving Water Limitation C.6 of this Order, if a shore station consistently exceeds a coliform objective or exceeds a geometric mean enterococcus density of 24 organisms per 100 ml for a 30-day period or 12 organisms per 100 ml for a six-month period, the Regional Board shall require the discharger to conduct or participate in a survey to determine the source of the contamination. The geometric mean shall be a moving average based on no less than five samples per month, spaced evenly over the time interval. When a sanitary survey identifies a controllable source of indicator organisms associated with a discharge of sewage, the Regional Board may require the discharger and any other responsible parties identified by the Regional Board to take action to control the source.

2. Physical Characteristics

   a. Floating particulates and grease and oil shall not be visible.

   b. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

   c. Natural light shall not be significantly reduced at any point outside the initial dilution zone as a result of the discharge of waste.

   d. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.

3. Chemical Characteristics

   a. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally, as a result of the discharge of oxygen-demanding waste materials.

   b. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.

   c. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.

   d. The concentration of substances set forth in Receiving Water Limitation C.6 of this Order, in marine sediments shall not be increased to levels which would degrade indigenous biota.

   e. The concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life.

   f. Nutrient materials shall not cause objectionable aquatic growths or degrade indigenous biota.

4. Biological Characteristics

   a. Marine communities, including vertebrate, invertebrate, and plant species, shall not be degraded.

b. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.

c. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

5. The discharge of radioactive waste shall not degrade marine life.

6. The discharge through the OOO shall not by itself or jointly with any other discharge, cause the following Ocean Plan water quality objectives to be exceeded in the receiving water upon completion of initial dilution, except that limitations indicated for radioactivity shall apply directly to the undiluted waste effluent.

a. Water Quality Objectives for the Protection of Marine Aquatic Life

Constituent	Units	6-Month Median**	Daily Maximum**	Instantaneous Maximum**
Arsenic	µg/L	8	32	80
Cadmium	µg/L	1	4	10
Chromium (hexavalent)[4]	µg/L	2	8	20
Copper	µg/L	3	12	30
Lead	µg/L	2	8	20
Mercury	µg/L	0.04	0.16	0.4
Nickel	µg/L	5	20	50
Selenium	µg/L	15	60	150
Silver	µg/L	0.7	2.8	7
Zinc	µg/L	20	80	200
Cyanide[5]	µg/L	1	4	10
Total chlorine residual	µg/L	2	8	60
Ammonia (as N)	µg/L	600	2,400	6,000
Chronic toxicity	TUc	--	1	--
Phenolic compounds (non-chlorinated)	µg/L	30	120	300
Chlorinated phenolics	µg/L	1	4	10
Endosulfan	µg/L	0.009	0.018	0.027
Endrin	µg/L	0.002	0.004	0.006

Constituent	Units	6-Month Median**	Daily Maximum**	Instantaneous Maximum**
HCH[7]	µg/L	0.004	0.008	0.012
Radioactivity[8]	Not to exceed limits specified in Title 17, Division 1, Chapter 5, Subchapter 4, Group 3, Article 3, Section 30253 of the California Code of Regulations.			

* endnotes are located on page 36 of this Order.

** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.

b. Water Quality Objectives for the Protection of Human Health -- Noncarcinogens

Chemical	Units	30-Day Average**
Acrolein	µg/L	220
Antimony	µg/L	1,200
Bis(2-chloroethoxy)methane	µg/L	4.4
Bis(2-chloroisopropyl)ether	µg/L	1,200
Chlorobenzene	µg/L	570
Chromium (III)	µg/L	190,000
Di-n-butyl phthalate	µg/L	3,500
Dichlorobenzenes[9]	µg/L	5,100
Diethyl phthalate	µg/L	33,000
Dimethyl phthalate	µg/L	820,000
4,6-dinitro-2-methylphenol	µg/L	220
2,4-dinitrophenol	µg/L	4.0
Ethylbenzene	µg/L	4,100
Fluoranthene	µg/L	15
Hexachlorocyclopentadiene	µg/L	58
Nitrobenzene	µg/L	4.9
Thallium	µg/L	2
Toluene	µg/L	85,000
Tributyltin	µg/L	0.0014
1,1,1-trichloroethane	µg/L	540,000

* endnotes are located on page 36 of this Order.

** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.

c. Water Quality Objectives for the Protection of Human Health -- Carcinogens

Chemical	Units	30-Day Average**
Acrylonitrile	µg/L	0.10
Aldrin	µg/L	0.000022
Benzene	µg/L	5.9
Benzidine	µg/L	0.000069
Beryllium	µg/L	0.033
Bis(2-chloroethyl)ether	µg/L	0.045
Bis(2-ethylhexyl)phthalate	µg/L	3.5
Carbon tetrachloride	µg/L	0.90
Chlordane[10]	µg/L	0.000023
Chlorodibromomethane	µg/L	8.6
Chloroform	µg/L	130
DDT[11]	µg/L	0.00017
1,4-dichlorobenzene	µg/L	18
3,3'-dichlorobenzidine	µg/L	0.0081
1,2-dichloroethane	µg/L	28
1,1-dichloroethylene	µg/L	0.9
Dichlorobromomethane	µg/L	6.2
Dichloromethane	µg/L	450
1,3-dichloropropene	µg/L	8.9
Dieldrin	µg/L	0.00004
2,4-dinitrotoluene	µg/L	2.6
1,2-diphenylhydrazine	µg/L	0.16
Halomethanes[12]	µg/L	130
Heptachlor[13]	µg/L	0.00005
Heptachlor epoxide	µg/L	0.00002
Hexachlorobenzene	µg/L	0.00021
Hexachlorobutadiene	µg/L	14

Chemical	Units	30-Day Average**
Hexachloroethane	µg/L	2.5
Isophorone	µg/L	730
N-nitrosodimethylamine	µg/L	7.3
N-nitrosodi-N-propylamine	µg/L	0.38
N-nitrosodiphenylamine	µg/L	2.5
PAHs[13]	µg/L	0.0088
PCBs[14]	µg/L	0.000019
TCDD equivalents[15]	pg/L	0.0039
1,1,2,2-tetrachloroethane	µg/L	2.3
Tetrachloroethylene	µg/L	2.0
Toxaphene	µg/L	0.00021
Trichloroethylene	µg/L	27
1,1,2-trichloroethane	µg/L	9.4
2,4,6-trichlorophenol	µg/L	0.29
Vinyl chloride	µg/L	36

* endnotes are located on page 36 of this Order.
** effluent limitation definitions are provided in the Provisions (F.13-20) of this Order.
***Units
µg/L = micrograms per liter
pg/L = picograms per liter
TUc = toxic units chronic

7. Additionally, the discharge of waste through the OOO shall not, by itself or jointly with any other discharge, cause violation of the following Basin Plan ocean water quality objectives:

   a. The dissolved oxygen concentration in ocean waters shall not at any time be depressed more than 10 percent from that which occurs naturally, as a result of the discharge of oxygen demanding waste materials.

   b. The pH value shall not be changed at any time more than 0.2 pH units from that which occurs naturally.

D. SOURCE CONTROL PROGRAM REQUIREMENTS

1. Source Control Program

   The discharger shall develop and implement a source control program to control the discharge of non-domestic pollutants to its sanitary sewer system and its treatment facilities, Treatment Plants No. 1 (Headquarters), No. 2 (San Luis Rey), No. 3 (Chappo), and No. 13 (Twin Lakes). This source control program shall be implemented to prevent:

   a. The pass-through of pollutants or any interference with wastewater treatment plant operations from any pollutant, including BOD, excessive heat, oil and grease, metals, and organics that may result in the violation of the wastewater treatment plants effluent discharge specifications as specified in Section B of this Order;

   b. Sludge contamination that interferes with the disposal of sludge in accordance with 40 CFR 503 and as specified in Section E of this Order;

   c. The introduction of pollutants which could create a fire or explosion hazard in the sanitary sewer system or the treatment plants, including waste streams with a closed cup flashpoint of less than 140 degrees F using test methods specified in 40 CFR 261.21; and

   d. The introduction of pollutants which could cause corrosive structural damage, obstructions in flow, or the formation of toxic gases and fumes in a quantity that could cause acute worker health and safety problems.

2. Annual Industrial Waste Survey

   a. The discharger shall conduct an annual Industrial Waste Survey (IWS) of all non-domestic facilities in the service area of the permitted treatment plants to determine whether any such facilities may be contributing to violations of the discharge specifications listed in Section B of this Order. As part of the IWS, the discharger shall conduct an influent priority pollutant scan at each plant.

   b. Based on the results of the industrial waste survey, the Regional Board may amend this Order to require non-domestic dischargers adversely impacting the performance of the treatment plant(s) be made subject to applicable provisions in the federal regulations which require the control of pollutant discharges using best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to prevent and/or reduce pollutants.

3. Domestic Discharger Source Control Program

   a. The discharger shall implement a domestic discharger Source Control Program consisting of a public education program designed to minimize the entrance of domestic toxic

pollutants into the sanitary sewer system. At least once before the expiration date of this Order, the domestic source control program shall be reviewed and, if necessary, updated.

4. Treatment Plant Influent Monitoring Program

   a. The discharger shall implement a treatment plant influent monitoring program as described in Section III of Monitoring and Reporting Program No. R9-2003-0155.

5. Special Requirements for Facilities using Oil/ Water Separators

   a. All non-domestic facilities with the potential to discharge oil and other petroleum products, such as vehicle maintenance facilities, shall be equipped with an oil/water separator to handle peak hydraulic loads and to prevent plant influent from containing free oil, or oil and grease at a concentration greater than 25 mg/L (as measured using weekly influent oil & grease samples from each plant).

   b. All oil/water separators (OWS) serving active facilities shall be visually inspected once per week to insure proper operation and removal of accumulated oil. The inspection may be performed by facility personnel or other responsible agency. A signed written log shall be kept documenting each inspection. The operation of any malfunctioning OWS's must cease until it has received proper maintenance.

6. Special Requirements for Facilities discharging Silver

   a. Best Management Practices, such as the installation of silver recovery units (SRU's), shall be implemented to control the discharge of non-domestic waste containing silver.

7. Special Requirements for Dining Facilities and Commercial Restaurants

   a. Best Management Practices, such as the installation and maintenance of grease traps, shall be implemented to control the discharge of non-domestic waste containing oil and grease.

E. SLUDGE REQUIREMENTS

1. Management of all solids and sludge must comply with all requirements of 40 CFR Parts 257, 258, 501, and 503, including all monitoring, record-keeping, and reporting requirements. Since the State of California, hence the Regional and State Boards, has not been delegated the authority by the USEPA to implement the sludge program, enforcement of sludge requirements of 40 CFR Part 503 is under USEPA's jurisdiction.

2. All solids and sludge must be disposed of in a municipal solid waste landfill, reused by land application, or disposed of in a sludge-only landfill in accordance with 40 CFR Parts 503 and 258, and Title 27 CCR. If the discharger desires to dispose of solids or sludge by a different

method, a request for permit modification must be submitted to the USEPA and this Regional Board 180 days prior to the alternative disposal.

3. All the requirements in 40 CFR 503 and 23 CCR 15 are enforceable by USEPA and this Regional Board whether or not they are stated in an NPDES permit or other permit issued to the discharger.

4. Sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, or result in groundwater contamination.

5. The discharger shall take all reasonable steps to prevent or minimize any sludge use or disposal which has a likelihood of adversely affecting human health or the environment.

6. The discharge of sewage sludge shall not cause waste material to be in a position where it is, or can be, carried from the sludge treatment and storage site and deposited in the waters of the State as defined in California Water Code (CWC) 13050(e).

7. The sludge treatment and storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect boundaries of the site from erosion, and to prevent any conditions that would cause drainage from the materials in the temporary storage site. Adequate protection is defined as protection from at least a 100-year storm and protection from the highest possible tidal stage that may occur.

8. The discharger shall submit an annual report to the USEPA (Regional Biosolids Coordinator) and the Regional Board containing monitoring results and pathogen and vector attraction reduction requirements as specified by 40 CFR 503, postmarked no later than February 19 of each year, for the period covering the previous calendar year. The report shall, at a minimum, include the following:

   a. The amount of biosolids generated that year, reported in dry metric tons, and the amount accumulated from previous years;

   b. The results of all pollutant and pathogen monitoring (Results shall be reported on a 100% dry weight basis for comparison with 40 CFR 503 limits. Any sample results reported on a wet weight basis must report the % solids of that sample.);

   c. Descriptions of methods used to achieve pathogen reduction and vector attraction reduction, including supporting time and temperature data, and certifications required in 40 CFR 503.15, 503.17, and 503.27;

   d. Names and addresses of entities receiving biosolids for further treatment, use or disposal, and volumes of biosolids sent to each;

   e. For all biosolids used or disposed at the permittee's facilities, the site and management practice information and certification required in 40 CFR 503.17 and 503.27; and

   f. For all biosolids temporarily stored, the information required in 40 CFR 503.20 to demonstrate temporary storage.

g. Reports shall be submitted to:

(1) Regional Biosolids Coordinator
US EPA (WTR-7)
75 Hawthorne St.
San Francisco, CA 94105-3901

(2) Executive Officer
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123-4340
Phone - (858) 467-2952

9. Sludge that is disposed of in a solid waste landfill appropriate for municipal wastes must meet the requirements of 40 CFR 258. In the annual self-monitoring report, the discharger shall include the amount of sludge disposed of, and the landfill(s) to which it was sent.

10. This Regional Board's attached "Standard Provisions" apply to sludge handling, disposal and reporting practices.

11. The Regional Board may amend this NPDES permit prior to expiration if changes occur in applicable state and federal sludge regulations.

F. PROVISIONS

1. The discharger must comply with all conditions of this Order. Any permit noncompliance constitutes a violation of the CWA and the California Water Code, and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of an application for permit renewal, modification, or reissuance.

2. The discharger must comply with all standard provisions, where applicable, as stated in 40 CFR 122.41 (see Attachment No. 3) and Additional Standard Provisions (Attachment No. 4), which are incorporated into this permit by reference.

3. Neither the treatment nor the discharge of waste shall create a pollution, contamination, or nuisance as defined by Section 13050 of the California Water Code.

4. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this Order, the Executive Officer may institute proceedings under these regulations to modify or revoke and reissue the Order to conform to the toxic effluent standard or prohibition.

5. The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use and disposal

established under Section 405(d) of the CWA within the time provided in the regulations that establish those standards or prohibitions or standards for sewage sludge use or disposal, even if this Order has not yet been modified to incorporate the requirement.

6. The discharger shall comply with all existing federal and state laws and regulations that apply to its sewage sludge use and disposal practice(s), and with the CWA Section 405(d) and 40 CFR Part 257.

7. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control including sludge use and disposal facilities (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by the discharger only when the operation is necessary to achieve compliance with the conditions of this Order.

8. Supervisors and operators of the discharger's wastewater treatment facilities shall possess a certificate of appropriate grade in accordance with Chapter 14, Division 4, Title 23 of the California Code of Regulations. All facilities shall be adequately staffed, with no less than the recommended number of staff specified in USEPA Manual No. 17090 (DAN 10/71) at any time.

9. All proposed new treatment facilities and expansions of existing treatment facilities shall be completely constructed and operable prior to initiation of the discharge from the new or expanded facilities.

    a. The discharger shall submit a certification report for each new treatment facility, expansion of an existing treatment facility, and re-rating of an existing treatment facility. For new treatment facilities and expansions, the certification report shall be prepared by the design engineer. For re-ratings, the certification report shall be prepared by the engineer who evaluated the treatment facility capacity. The certification report shall:

        (1) Identify the design capacity of the treatment facility;

        (2) Certify the adequacy of each component of the treatment facility; and

        (3) Contain a requirement-by-requirement analysis, based on acceptable engineering practices, of how the process and physical design of the facility will ensure compliance with this Order.

    b. The signature and engineering license number of the engineer preparing the certification report shall be affixed to the report. The certification report, should, if possible, be submitted prior to beginning construction. The discharger shall not initiate a discharge from a new treatment facility or initiate a discharge from an existing treatment facility at a 30-day average flowrate in excess of its previously approved design capacity until:

        (1) The certification report is received by the Executive Officer;

        (2) The Executive Officer has received written notification of the completion of

construction (new treatment facilities and expansions only);

(3) An inspection of the plant has been made by the Regional Board staff (new treatment facilities and expansions only); and

(4) The Executive Officer has provided the discharger with written authorization to discharge at a 30-day average flowrate not to exceed the revised design capacity.

10. All analytical data shall be reported uncensored with detection limits and quantitation limits identified. For any effluent limitation, compliance shall be determined using appropriate statistical methods to evaluate multiple samples. Sufficient sampling and analysis shall be conducted to determine compliance.

11. For each constituent, the discharger shall select an acceptable analytical method and minimum level (ML) of reporting from Appendix II of the 2001 Ocean Plan. MLs shall be reported in accordance with Section III.C.4-6 of the 2001 Ocean Plan. If the effluent limitation is lower than all MLs in Appendix II of the 2001 Ocean Plan, than the discharger shall select the lowest ML (and corresponding analytical method) from Appendix II of the 2001 Ocean Plan.

12. Sufficient sampling and analysis shall be required to determine compliance with the effluent limitations. Compliance shall be determined as follows:

    a. Compliance with single-constituent effluent limitations—Dischargers are out of compliance with the effluent limitation if the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported ML.

    b. Compliance with effluent limitations expressed as a sum of several constituents-Dischargers are out of compliance with an effluent limitation which applies to the sum of a group of chemicals (eg. PCBs) if the sum of the individual pollutant concentrations is greater than the effluent limitation. Individual pollutants of the group will be considered to have a concentration of zero if the constituent is reported as "not detected" (ND) or "detected but not quantified" (DNQ).

    c. Multiple sample data reduction—The concentration of the pollutant in the effluent may be estimated from the result of a single sample analysis, or by a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses when all sample results are quantifiable (i.e. greater than or equal to the reported ML). When one or more sample results are reported as ND or DNQ, the central tendency concentration of the pollutant shall be the median (middle) value of the multiple samples. If, in an even number of samples, one or both of the middle values is ND or DNQ, the median will be the lower of the two middle values.

13. The 6-month median shall apply as a moving median of daily values for any 180-day period in which daily values represent flow-weighted average concentrations within a 24-hour period. For intermittent discharges, the daily value shall be considered to equal zero for days on which no discharge occurred.

14. The daily maximum shall apply to flow-weighted 24-hour composite samples.

15. The instantaneous maximum shall apply to grab sample determinations.

16. The "maximum at any time" effluent limitation shall apply to each sample independently (i.e. all results shall be compared to the limit).

17. The weekly average shall be the mean of all samples collected in a calendar week, Sunday through Saturday.

18. The 30-day average effluent limitation shall be the moving arithmetic mean of daily concentrations over any 30-day period, except as otherwise indicated.

19. The monthly average limitation shall be the mean of all samples collected in a calendar month.

20. If only one sample is collected during the time period associated with the effluent limitations (e.g., 30-day average or 6-month median), the single measurement shall be used to determine compliance with the effluent limitation for the entire time period.

21. The mass emission rate (MER), in pounds per day, shall be obtained from the following calculation for any calendar day:

$$\text{mass emission rate (lb/Day)} = 8.34 \times Q \times C$$

in which Q and C are the flow rate in MGD and the constituent concentration in mg/L, respectively, and 8.34 is a conversion factor with units of [lb/MGD] / [mg/L]. If a composite sample is taken, then C is the concentration measured in the composite sample and Q is the average flow rate occurring during the period over which the samples are composited.

22. Compliance with the chronic toxicity effluent limitation established in Discharge Specification No. B.1.b of this Order shall be determined using critical life stage toxicity tests. Chronic toxicity shall be expressed as Toxic Units Chronic (TUc), where:

$$TUc = \frac{100}{NOEL}$$

where NOEL is the No Observed Effect Level and is expressed as the maximum percent effluent that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Appendix III of the 2001 Ocean Plan.

23. If toxicity test results show a violation of the chronic toxicity limitation identified in Discharge Specification B.1.b of this Order, the discharger shall:

    a. Take all reasonable measures necessary to immediately minimize toxicity; and

    b. Increase the frequency of the toxicity test(s) that showed a violation to at least two times per month until the results of at least two consecutive toxicity tests do not show violations.

If the Executive Officer determines that toxicity testing shows consistent violation of the chronic toxicity limitation identified in Discharge Specification B.1.b of this Order, the discharger shall conduct a Toxicity Reduction Evaluation (TRE) which includes all reasonable steps to identify the source of toxicity. Once the source of toxicity is identified, the discharger shall take all reasonable steps to reduce the toxicity to meet the toxicity limitation identified in Discharge Specification B.1.b of this Order.

Within fourteen days of completion of the TRE, the discharger shall submit the results of the TRE, including a summary of the findings, data generated, a list of corrective actions necessary to achieve consistent compliance with all the toxicity limitations of this Order and prevent recurrence of violations of those limitations, and a time schedule for implementation of such corrective actions. The corrective actions and time schedule shall be modified at the direction of the Executive Officer.

24. For all bacterial analyses, sample dilutions should be performed so the range of values extends from 2 to 16,000. The detection methods used for each analysis shall be reported with the results of each analysis. Detection methods used for coliforms (total and fecal) shall be those presented in Table 1A of 40 CFR 136, unless alternate methods have been approved in advance by USEPA, pursuant to 40 CFR 136. Detection methods used for enterococcus shall be those presented in USPEA publication EPA 600/4-85/076, or any improved method determined by the Regional Board to be appropriate.

25. The geometric mean used for determining compliance with bacterial standards is calculated with the following equation:

$$\text{Geometric Mean} = (C_1 \times C_2 \times \ldots \times C_n)^{1/n}$$

where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL) found on each day of sampling.

26. As used in this Order, waste includes a discharger's total discharge, of whatever origin (i.e. gross, not net, discharge).

27. In addition to the Sanitary Sewer Overflow Prevention Plan (SSOPP) that is required for compliance with Order No. 96-04, the discharger shall also maintain a Sewer Overflow Prevention Plan (SOPP) that addresses all spills not covered under Order No. 96-04. The SOPP can be part of the SSOPP. It shall be kept in an up-to-date condition and shall be amended whenever there is a change (e.g. in the design, construction, operation, or maintenance of the sewerage facilities) which materially affects the potential for overflows. The discharger shall review and amend the SOPP as appropriate after each sewer overflow, not covered under Order No. 96-04. The SOPP and any amendments thereto, shall be subject to the approval of the Executive Officer and shall be modified as directed by the Executive Officer. The discharger shall submit the SOPP and any amendments thereto to the Executive Officer upon request of the Executive Officer. The discharger shall ensure that the up-to-date SOPP is readily available to sewerage system personnel at all times and that sewerage system personnel are familiar with it.

28. In addition to the Sanitary Sewer Overflow Response Plan (SSORP) that is required for compliance with Order No. 96-04, the discharger shall also maintain a Sewer Overflow Response Plan (SORP)

that addresses all spills not covered under Order No. 96-04. The SORP can be part of the SSORP. It shall establish procedures for responding to sewer overflows so as to (a) minimize the sewer overflow volume which enters surface waters, and (b) minimize the adverse effects of sewer overflows on water quality and beneficial uses. The discharger shall maintain the SORP in an up-to-date condition and shall amend the SORP as necessary to accomplish these objectives. The discharger shall review and amend the SORP as appropriate after each overflow not covered under Order No. 96-04. The SORP, and any amendments thereto, shall be subject to the approval of the Executive Officer and shall be modified as directed by the Executive Officer. The discharger shall submit the SORP and any amendments thereto to the Executive Officer upon request of the Executive Officer. The discharger shall ensure that the up-to-date SORP is readily available to sewerage system personnel at all times and that sewerage system personnel are familiar with it.

G. REPORTING REQUIREMENTS

1. The discharger must comply with standard monitoring and reporting requirements, where applicable, as stated in 40 CFR 122.41 (see Attachment No. 3) and Additional Standard Provisions (Attachment No. 4).

2. The discharger shall report sewer overflow events in accordance with the following procedures:

   a. Definition

   For purposes of this Reporting Requirement, a sewer overflow event is a discharge of treated or untreated wastewater at a location not authorized by waste discharge requirements and/or a NPDES permit which results from a pump station failure, sewer line break, obstruction, surcharge, or any other operational dysfunction. This Reporting Requirement applies to all sewer overflow events other than those events subject to regulation under this Regional Board's Order No. 96-04, *General Waste Discharge Requirements Prohibiting Sanitary Sewer Overflows by Sewage Collection Agencies*.

   b. 24-Hour Reporting to the Regional Board

   If a sewer overflow event results in a discharge of 1,000 gallons or more, or results in a discharge to surface waters (any volume), the discharger shall:

   Report the sewer overflow event to the Regional Board by any available means, including telephone, voice mail, or FAX, within 24 hours from the time that 1) discharger has knowledge of the sewer overflow, 2) notification is possible, and 3) notification can be provided without substantially impeding cleanup or other emergency measures. Notification may be made after normal business hours by leaving a message for the Regional Board on voice mail or FAX.

   (1) For the purpose of this Reporting Requirement, surface waters include navigable waters, rivers, streams (including ephemeral streams), lakes, playa lakes, natural ponds, bays, the Pacific Ocean, lagoons, estuaries, man-made canals, ditches, dry arroyos, mudflats, sandflats, wet meadows, wetlands, swamps, marshes, sloughs and water courses, and storm drains tributary to surface waters. The term includes waters of the

United States as used in the federal Clean Water Act (see 40 CFR 122.2)

(2) The information reported to the Regional Board in the initial report shall include the name and phone number of the person reporting the sanitary sewer overflow, the responsible sanitary sewer system agency, the estimated total sewer overflow volume, the location, the receiving waters, whether or not the sewer overflow is still occurring at the time of the report, and confirmation that the local health services agency was or will be notified as required under the reporting requirements of the local health services agency.

c. Five-Day Reporting to the Regional Board

If the sewer overflow event results in a discharge of 1,000 gallons or more, or results in a discharge to surface waters (any volume), the discharger shall:

Complete a copy of the Sanitary Sewer Overflow Form attached to Monitoring and Reporting Program No. 96-04, and submit the completed Sanitary Sewer Overflow Report form, along with any additional correspondence, to the Regional Board no later than 5 days following the starting date of the sanitary sewer overflow. Additional correspondence and follow-up reports should be submitted to the Regional Board, as necessary, to supplement the Sanitary Sewer Overflow Report Form to provide detailed information on cause, response, adverse effects, corrective actions, preventative measures, or other information.

d. Quarterly Reporting to the Regional Board

The discharger shall report all sewer overflows (other than those subject to regulation under Order No. 96-04), regardless of volume or final destination, in the next quarterly self-monitoring report, in accordance with the same format as that of Order No. 96-04.

3. The discharger shall give notice to the Executive Officer as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b);

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this Order; or

c. The alteration or addition results in a significant change in the discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of conditions in this Order that are different from or absent in the existing Order, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

4. The discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided

within 5 days of the time the discharger becomes aware of the circumstances. A written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following shall be included as information which must be reported within 24 hours under this reporting requirement:

a. Any unanticipated bypass which exceeds any effluent limitation in this Order;

b. Any upset which exceeds any effluent limitation in this Order;

c. Violation of a daily maximum effluent limitation as specified in this Order for the following pollutants:

(1) Chronic toxicity
(2) Arsenic
(3) Cadmium
(4) Chromium (Hexavalent)
(5) Copper
(6) Lead
(7) Mercury
(8) Nickel
(9) Selenium
(10) Silver
(11) Zinc
(12) Cyanide
(13) Total Chlorine Residual
(14) Ammonia
(15) Phenolic Compounds (non-chlorinated)
(16) Chlorinated Phenolics
(17) Endosulfan
(18) Endrin
(19) HCH

d. Any violation of the prohibitions of this Order; and

e. Any finding of levels of bacteria in a receiving water sample which exceeds bacterial water quality objectives specified in the Receiving Water Limitations of this Order.

5. The discharger shall furnish to the Executive Officer, SWRCB Executive Director, or USEPA, within a reasonable time, any information which the Executive Officer, SWRCB Executive Director, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order, or to determine compliance with this Order. The discharger shall also furnish to the Executive Officer, SWRCB Executive Director, or USEPA, upon request, copies of records required to be kept by this Order.

6. Whenever a receiving water sample is found to contain levels of bacteria which exceed bacterial water quality objectives specified in the Receiving Water Limitations of this Order, the discharger shall immediately notify the San Diego County Department of Environmental Health (DEH) and post signs prohibiting body contact with the water in all areas affected by the contamination.

7. The discharger shall submit a written report to the Executive Officer within 90 days after the average influent flowrate for any 30-day period equals or exceeds 75 percent of the design capacity of the waste treatment and/or disposal facilities. The discharger's senior administrative officer shall sign a letter, which transmits that report and certifies that the policy-making body is adequately informed about it. The report shall include:

    a. Average daily flow for the 30-day period, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for that day;

    b. The discharger's best estimate of when the average daily dry-weather flowrate will equal or exceed the design capacity of the facilities; and

    c. The discharger's intended schedule for studies, design, and other steps needed to provide additional capacity for the waste treatment and/or disposal facilities and/or control the flowrate before the waste flowrate equals the capacity of present units.

8. Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the offices of the California Regional Water Quality Control Board, San Diego Region. As required by the CWA, Reports of Waste Discharge, this Order, and effluent data shall not be considered confidential.

H. NOTIFICATIONS

1. The discharger is held accountable for responsibilities, liabilities, legal actions, and penalties as stated in Attachment No. 3 and Attachment No. 4 of this Order.

2. This Order rescinds Order No. 99-58 when this Order becomes effective.

3. This Order expires August 13, 2008.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of Order No. R9-2003-0155 adopted by the California Regional Water Quality Control Board, San Diego Region, on August 13, 2003.

JOHN H. ROBERTUS
Executive Officer

ORDER NO. R9-2003-0155 ENDNOTES[1]

1. Secondary treatment is defined by the USEPA Administrator in the Federal Regulations (40 CFR Part 133.100 to 40 CFR Part 133.105) in terms of three parameters: 5-day biochemical oxygen demand (BOD), total suspended solids (TSS), and pH.

2. This discharge is not considered to be from a "Publicly Owned Treatment Works" (POTW) because the facilities are federally owned. However, because the facilities are operated like a POTW and with the same purpose as a POTW, the 2001 Ocean Plan Table A effluent limitations have been applied to this discharge based on best professional judgement.

3. Effluent limitations were determined using the procedures outlined in the 2001 Ocean Plan, and a minimum probable initial dilution (Dm) of 80. Mass emission rate (MER) limitations were determined using procedures outlined in the Ocean Plan, Equation 3, and a flowrate of 3.6 MGD.

4. The discharger may, at its option, meet this limitation as a total chromium limitation.

5. If the discharger can demonstrate to the satisfaction of the Regional Board (subject to EPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal complexes must be comparable to that achieved by 40 CFR 136, as revised May 14, 1999.

6. The effluent concentration and mass emission rate limitations for total chlorine residual are based on a continuous discharge of chlorine. Effluent concentration limitations for total chlorine residual, which are applicable to intermittent discharges not exceeding 2 hours, shall be determined through the use of the following equations:

$$\log y = -0.43 (\log x) + 1.8$$

where:

y = the water quality objective (in µg/L) to apply when Chlorine is being discharged

x = the duration of uninterrupted chlorine discharge in minutes

7. HCH shall mean the sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

8. Reference to Section 30253 is prospective, including future changes to any incorporated provisions of federal law, as the changes take effect.

9. Dichlorobenxenes shall mean the sum of 1,2- and 1,3-dichlorobenzene.

10. Chlordane shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

11. DDT shall mean the sum of 4,4'DDT; 2,4'DDT; 4,4'DDE; 2,4'DDE; 4,4'DDD; and 2,4'DDD.

12. Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide), and chloromethane (methyl chloride).

13. PAHs (polynuclear aromatic hydrocarbons) shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene,1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

14. PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

15. TCDD EQUIVALENTS shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

Isomer Group	Toxicity Equivalence Factor
2,3,7,8-tetra CDD	1.0
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDD	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8-tetra CDF	0.1
1,2,3,7,8-penta CDF	0.05
2,3,4,7,8 penta CDF	0.5
2,3,7,8 hexa CDFs	0.1
2,3,7,8 hepta CDFs	0.01
octa CDF	0.001

ATTACHMENT NO. 1

2001 CALIFORNIA OCEAN PLAN
CHAPTER III
DISCHARGE PROHIBITIONS

A. Hazardous Substances

The discharge of any radiological, chemical, or biological warfare agent or high-level radioactive waste* into the ocean* is prohibited.

B. Areas of Special Biological Significance

Waste* shall not be discharged to designated areas of special biological significance* except as provided in Chapter III E of the Ocean Plan (Implementation Provisions For Areas of Special Biological Significance).

C. Sludge

Pipeline discharge of sludge to the ocean* is prohibited by federal law; the discharge of municipal and industrial waste* sludge directly to the ocean*, or into a waste* stream that discharges to the ocean*, is prohibited by this Plan. The discharge of sludge digester supernatant directly to the ocean*, or to a waste* stream that discharges to the ocean* without further treatment, is prohibited.

It is the policy of the SWRCB that the treatment, use and disposal of sewage sludge shall be carried out in the manner found to have the least adverse impact on the total natural and human environment. Therefore, if federal law is amended to permit such discharge, which could affect California waters, the SWRCB may consider requests for exceptions to this section under Chapter VI, F. of this Plan, provided further that an Environmental Impact Report on the proposed project shows clearly that any available alternative disposal method will have a greater adverse environmental impact than the proposed project.

D. By-Passing

The by-passing of untreated wastes* containing concentrations of pollutants in excess of those of Table A or Table B to the ocean* is prohibited.

Please refer to the 200 California Ocean Plan, as revised, for further information.

ATTACHMENT NO. 2

1994 WATER QUALITY CONTROL PLAN FOR THE SAN DIEGO BASIN (BASIN PLAN) WASTE DISCHARGE PROHIBITIONS

California Water Code Section 13243 provides that a Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste is not permitted. The following discharge prohibitions are applicable to any person as defined by Section 13050(c) of the California Water Code and to any person who is a citizen, domiciliary, or political agency or entity of California whose activities in California could affect the quality of waters of the state within the boundaries of the San Diego Region.

1. The discharge of waste to waters of the state in a manner causing, or threatening to cause a condition of pollution, contamination or nuisance as defined in California Water Code Section 13050, is prohibited.

2. The discharge of waste to land, except as authorized by waste discharge requirements or the terms described in California Water Code Section 13264, is prohibited.

3. The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredged or fill material permit (subject to the exemption described in California Water Code §13376) is prohibited

4. The discharge of treated or untreated waste to lakes or reservoirs used for municipal water supply, or to inland surface water tributaries thereto, is prohibited.

5. The discharge of waste to inland surface waters, except in cases where the quality of the discharge complies with applicable receiving water quality objectives, is prohibited. Allowances for dilution may be made at the discretion of the Regional Board. Consideration would include streamflow data, the degree of treatment provided and safety measures to ensure reliability of facility performance. As an example, discharge of secondary effluent would probably be permitted if streamflow provided 100:1 dilution capability.

6. The discharge of waste in a manner causing flow, ponding, or surfacing on lands not owned or under the control of the discharger is prohibited, unless the discharge is authorized by the Regional Board.

7. The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited unless authorized by the Regional Board.

8. Any discharge to a storm water conveyance system that is not composed entirely of storm water is prohibited unless authorized by the Regional Board. (The federal regulations, 40CFR 122.26(b)(13), define storm water as storm water runoff, snow melt runoff, and

surface runoff and drainage. 40CFR 122.26(b)(2) defines an illicit discharge as any discharge to a storm water conveyance system that is not composed entirely of storm water except discharges pursuant to a NPDES permit and discharge resulting from fire fighting activities.) (§122.26 amended at 56 FR 56553, November 5, 1991 57 FR 11412, April 2, 1992).

9. The authorized discharge of treated or untreated sewage to waters of the state or to a storm water conveyance system is prohibited.

10. The discharge of industrial wastes to conventional septic tank/subsurface disposal systems, except as authorized by the terms described in California Water Code Section 13264, is prohibited.

11. The discharge of radioactive waste amenable to alternative methods of disposal into the waters of the state is prohibited.

12. The discharge of any radiological, chemical, or biological warfare agent into waters of the state is prohibited.

13. The discharge of waste into a natural or excavated site below historic water levels is prohibited unless the discharge is authorized by the Regional Board.

14. The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom deposits, turbidity or discoloration in waters of the state or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.

15. The discharge of treated or untreated sewage from vessels to Mission Bay, Oceanside Harbor, Dana Point Harbor, or other small boat harbors is prohibited.

16. The discharge of untreated sewage from vessels to San Diego Bay is prohibited.

17. The discharge of treated sewage from vessels to portion of San Diego Bay that are less than 30 feet deep at mean lower low water (MLLW) is prohibited.

18. The discharge of treated sewage from vessels, which do not have a properly functioning US Coast Guard certified Type I or Type II marine sanitation device, to portions of San Diego Bay that are greater than 30 feet deep a mean lower low water (MLLW) is prohibited.

ATTACHMENT NO. 3

40CFR STANDARD PROVISION REFERENCES

40CFR 122.1 Purpose and scope

40CFR 122.1(a) and (b).

40CFR 122.2 Definitions

40CFR 122.2(all).

40CFR 122.3 Exclusions

40CFR 122.3(a) through (g).

40CFR 122.4 Prohibitions (applicable to State programs, see Section 123.25).

40CFR 122.4(a) through (i).

40CFR 122.5 Effect of a permit (applicable to State programs, see Section 123.25).

40CFR 122.5(a) through (c).

40CFR 122.6 Continuation of expiring permits

40CFR 122.6(b) through (d).

40CFR 122.7 Confidentiality of information (applicable to State programs, see Section 123.25).

40CFR 122.7 (a) through (c).

40CFR 122.21 Application for a Permit (applicable to State programs, see Section 123.25).

40CFR 122.21(a) through (p).

40CFR 122.22 Signatories to permit applications and reports (applicable to State programs, see Section 123.25).

(a) Applications. All applications shall be signed as follows:

(1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the

corporation, or (ii) the manager of one or more manufacturing, production, operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in Section 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under §122.22(a)(1)(ii) rather than to specific individuals.

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

(b) All reports required by permits, and other information requested by the Director shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

(3) The written authorization is submitted to the Director.

(c) Changes to authorization. If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section

must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

(d) Certification. Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

40CFR 122.23 Concentrated animal feeding operations (applicable to State programs, see Section 123.25).

40CFR 122.23(a) through (c).

40CFR 122.24 Concentrated aquatic animal production facilities (applicable to State programs, see Section 123.25).

40CFR 122.24(a) through (c).

40CFR 122.25 Aquaculture projects (applicable to State programs, see Section 123.25).

40CFR 122.25(a) and (b).

40CFR 122.26 Storm water discharges (applicable to State programs, see Section 123.25).

40CFR 122.26(a) through (g).

40CFR 122.27 Silvicultural activities (applicable to State programs, see Section 123.25).

40CFR 122.27(a) and (b).

40CFR 122.28 General permits (applicable to State programs, see Section 123.25).

40CFR 122.28(a) and (b).

40CFR 122.29 New sources and new dischargers.

40CFR 122.29(a) through (d).

40CFR 122.30 through 122.37 (Various sections on regulation of small MS4's).

40CFR 122.41 Conditions applicable to all permits (applicable to State programs, see Section 123.25).

The following conditions apply to all NPDES permits. Additional conditions applicable to NPDES permits are in Section 122.42. All conditions applicable to NPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these regulations (or the corresponding approved State regulations) must be given in the permit.

(a) Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

(1) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

(2) The Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The Clean Water Act provides that any person who negligently violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger

of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

(3) Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.

(b) Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

(c) Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(d) Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(e) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

(f) Permit actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

(g) Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.

(h) Duty to provide information. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for

modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Director upon request, copies of records required to be kept by this permit.

(i) Inspection and entry. The permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:

(1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

(4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

(j) Monitoring and records.

(1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(2) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

(3) Records of monitoring information shall include:

i) The date, exact place, and time of sampling or measurements;

ii) The individual(s) who performed the sampling or measurements;

iii) The date(s) analyses were performed;

iv) The individual(s) who performed the analyses;

v) The analytical techniques or methods used; and

vi) The results of such analyses.

(4) Monitoring results must be conducted according to test procedures approved under 40CFR part 136 or, in the case of sludge use or disposal, approved under 40CFR part 136 unless otherwise specified in 40CFR part 503, unless other test procedures have been specified in the permit.

(5) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

(k) Signatory requirement.

(1) All applications, reports, or information submitted to the Director shall be signed and certified. (See 40CFR 122.22)

(2) The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(l) Reporting requirements.

(1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in §122.29(b); or

ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants, which are subject neither to effluent limitations in the permit, nor to notification requirements under §122.42(a)(1).

iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported

during the permit application process or not reported pursuant to an approved land application plan;

(2) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

(3) Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (See §122.61; in some cases, modification or revocation and reissuance is mandatory.)

(4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices.

ii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40CFR part 136 or, in the case of sludge use or disposal, approved under 40CFR part 136 unless otherwise specified in 40CFR part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.

iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

(5) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(6) Twenty-four hour reporting.

i) The permittee shall report any noncompliance, which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

ii) The following shall be included as information, which must be reported within 24 hours under this paragraph.

A. Any unanticipated bypass which exceeds any effluent limitation in the Permit (See 40CFR 122.41(g)).

B. Any upset which exceeds any effluent limitation in the permit.

C. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40CFR 122.44(g)).

iii) The Director may waive the written report on a case-by-case basis for reports under paragraph (l)(6)(ii) of this section if the oral report has been received within 24 hours.

(7) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (l)(4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (l)(6) of this section.

(8) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

(m) Bypass.

(1) Definitions.

i) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

ii) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(2) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (m)(3) and (m)(4) of this section.

(3) Notice

i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (l)(6) of this section (24-hour notice).

(4) Prohibition of bypass.

i) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

A. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

B. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

C. The permittee submitted notices as required under paragraph (m)(3) of this section.

ii) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (m)(4)(i) of this section.

(n) Upset

(1) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(2) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (n)(3) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(3) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

i) An upset occurred and that the permittee can identify the cause(s) of the upset;

ii) The permitted facility was at the time being properly operated; and

iii) The permittee submitted notice of the upset as required in paragraph (1)(6)(ii)(B) of this section (24-hour notice).

iv) The permittee complied with any remedial measures required under paragraph (d) of this section.

(4) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

40CFR 122.42 Additional conditions applicable to specified categories of NPDES permits (applicable to State NPDES programs, see Section 123.25).

The following conditions, in addition to those set forth in Section 122.41, apply to all NPDES permits within the categories specified below:

(a) Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under Section 122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

(1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i) One hundred micrograms per liter (100 ug/l);

ii) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Sec. 122.21(g)(7); or

iv) The level established by the Director in accordance with Section 122.44(f).

(2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i) Five hundred micrograms per liter (500 ug/l);

ii) One milligram per liter (1 mg/l) for antimony;

iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 122.21(g)(7).

iv) The level established by the Director in accordance with Sec. 122.44(f).

(b) Publicly owned treatment works. All POTWs must provide adequate notice to the Director of the following:

(1) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; and

(2) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

(3) Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under Sections 122.26(d)(2)(iv) and (d)(2)(v) of this part;

(4) A summary of data, including monitoring data, that is accumulated throughout the reporting year;

i) effluent introduced into the POTW, and

ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(c) Municipal separate storm sewer systems. The operator of a large or medium municipal separate storm sewer system or a municipal separate storm sewer that has been designated by the Director under Sec. 122.26(a)(1)(v) of this part must submit an annual report by the anniversary of the date of the issuance of the permit for such system. The report shall include:

(1) The status of implementing the components of the storm water management program that are established as permit conditions;

(2) Proposed changes to the storm water management programs that are established as permit condition. Such proposed changes shall be consistent with Section 122.26(d)(2)(iii) of this part; and

(3) Annual expenditures and budget for year following each annual report;

(4) A summary describing the number and nature of enforcement actions, inspections, and public education programs;

(5) Identification of water quality improvements or degradation;

(d) Storm water discharges. The initial permits for discharges composed entirely of storm water issued pursuant to Section 122.26(e)(7) of this part shall require compliance with the conditions of the permit as expeditiously as practicable, but in no event later than three years after the date of issuance of the permit.

40CFR 122.43 Establishing permit conditions (applicable to State programs, see Section 123.25).

40CFR 122.43(a) through (c).

40CFR 122.44 Establishing limitations, standards, and other permit conditions (applicable to State programs, see Section 123.25).

40CFR 122.44(a) through (s).

40CFR 122.45 Calculating NPDES permit conditions (applicable to State programs, see Section 123.25).

40CFR 122.45(a) through (h).

40CFR 122.46 Duration of permits (applicable to State programs, see Section 123.25).

40CFR 122.46(a) through (e).

40CFR 122.47 Schedules of compliance (applicable to State programs. see Section 123.25).

40CFR 122.47(a) and (b).

40CFR 122.48 Requirements for recording and reporting of monitoring results. (applicable to State programs, see Section 123.25).

40CFR 122.48(a) through (c).

40CFR 122.49 Considerations under Federal law.

40CFR 122.49(a) through (g).

40CFR 122.50 Disposal into wells, into publicly owned treatment works (applicable to State programs, see Section 123.25).

40CFR 122.50(a) through (c).

40CFR 122.61 Transfer of permits (applicable to State programs, see Section 123.25).

40CFR 122.61(a) through (b).

40CFR 122.62 Modification or revocation and reissuance of permits (applicable to State programs, see Section 123.25).

40CFR 122.62(a) through (b).

40CFR 122.63 Minor modifications of permits.

40CFR 122.63(a) through (g).

40CFR 122.64 Termination of permits (applicable to State programs, see Section 123.25).

40CFR 122.64(a) through (b)

Note: The sections of 40CFR Standard Provisions listed above that are not quoted verbatim can be obtained through the following website: www.access.gpo.gov.

ATTACHMENT NO. 4

ADDITIONAL STANDARD PROVISIONS

1. *Review and revision of permit*: Upon application by any affected person, or on its own motion, the SDRWQCB may review and revise this permit. All requirements shall be reviewed periodically. [CWC 13263(e)]

2. *Termination or modification of permit*: This permit may be terminated or modified for causes, including, but not limited to, all of the following:

   (a) Violation of any condition contained in this permit.

   (b) Obtaining this permit by misrepresentation, or failure to disclose fully all relevant facts.

   (c) A change in any condition that requires either a temporary of permanent reduction or elimination of the permitted discharge. [CWC 13381]

3. *Material change*: Not less than 180 days prior to any material change in the character, location, volume, or amount of waste discharge, the Discharger shall submit a technical report describing such changes. Such changes include but are not limited to the following:

   (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.

   (b) Significant change in disposal method, e.g., change from land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.

   (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.

   (d) Increase in flow beyond that specified in the waste discharge requirements.

   (e) Increase in area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CWC 13376, 13264, 23 CCR 2210]

   (f) Any substantial change in the amount or characteristics of pollutants used, handled, stored, or generated.

   (g) Any new discharge of pollutants or new potential pollutant source.

(h) Other circumstances which could result in a material change in the character, amount, or location of discharges. [CWC 13264, 23 CCR 2210]

4. *Transfers*: When this permit is transferred to a new owner or operator, such requirements as may be necessary under the California Water Code may be incorporated into this permit.

5. *Conditions not stayed*: The filing of a request by the Discharger for modification, revocation and reissuance, or termination of this Order, or a notification of planned change in or anticipated noncompliance with this Order does not stay any condition of this Order.

6. *Monitoring and Reporting Program*: The Discharger shall conduct monitoring and submit reports at the intervals specified in accordance with the Monitoring and Reporting Program (MRP) attached to this Order. [CWC 13267 & 13383, 23 CCR 2230, 40CFR 122.43(a), 122.44(i), 122.48]

7. *Availability*: A copy of this Order shall be kept at a readily accessible location and shall be available to on-site personnel at all times.

8. *Duty to minimize or correct adverse impacts*: The Discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

9. *Responsibilities, liabilities, legal action, penalties*: The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the Clean Water Act. [CWC 13385, 13387]

   Nothing in this Order shall be construed to protect the Discharger from its liabilities under federal, state, or local laws.

   Except as provided for in 40CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the Discharger from civil or criminal penalties for noncompliance.

   Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the Discharger from any responsibilities, liabilities, or penalties to which the Discharger is or may be subject to under Section 311 of the CWA.

   Nothing in this Order shall be construed to preclude institution of any legal action or relieve the Discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authoring preserved by Section 510 of the CWA.

10. *Noncompliance*: Any noncompliance with this permit constitutes violation of the California Water Code and is grounds for denial of an application for permit modification. (Also, see 40CFR 122.41 (a))

11. *Discharge is a privilege*: No discharge of waste into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to

continue the discharge. All discharges of waste into waters of the state are privileges, not rights. [CWC 13263(g)]

12. *Permittee*: For the purposes of this permit, the term "permittee" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "Discharger" used elsewhere in this permit.

13. *Director*: For the purposes of this permit, the term "Director" used in parts of 40CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "SDRWQCB" used elsewhere in this permit, except that in 40CFR 122.41(h) & (I), "Director" shall mean "SDRWQCB, SWRCB, and USEPA."

14. *Effective date*: This Order shall become effective ten days after the date of its adoption provided the USEPA Regional Administrator has no objection. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.

15. *Continuation of expired permit*: After this permit expires, the terms and conditions of this permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on the continuation of expired permits are complied with. [40CFR 122.6, 23 CCR 2235.4]

16. *Applications*: Any application submitted by the Discharger for reissuance or modification of this permit shall satisfy all applicable requirements specified in federal regulations as well as any additional requirements for submittal of a Report of Waste Discharge specified in the California Water Code and the California Code of Regulations.

17. *Confidentiality*: Except as provided for in 40CFR 122.7, no information or documents submitter in accordance with or in application for this permit will be considered confidential, and all such information and documents shall be available for review by the public at the offices of the SDRWQCB.

18. *Severability*: The provisions of this order are severable, and if any provision of this order, or the application of any provisions of this order to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this order shall not be affected thereby.

19. *Discharge Monitoring Quality Assurance (DMQA) Program*: The Discharger shall conduct appropriate analyses on any sample provided by EPA as part of the DMQA program. The results of such analyses shall be submitted to EPA's DMQA manager. [SWRCB/USEPA 106 MOA]

20. *Pollution, Contamination, Nuisance*: The handling, transport, treatment, or disposal of waste or the discharge of waste to waters of the state in a manner which causes or threatens to cause a condition of pollution, contamination, or nuisance, as those terms are defined in CWC 13050, is prohibited.

21. *Report Submittal*: Reports and other documents required under this Order shall be submitted to:

California Regional Water Quality Control Board
San Diego Region
POTW Compliance Unit
9174 Sky Park Court, Suite 100
San Diego, California 92123-4340
Telephone: (858) 467-2952
Fax: (858) 571-6972